# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

------ In the Matter of -----)

RADIANT TELECOM, INC. )

Notice of Failure to Comply )

With Hawaii Revised Statutes )

and Commission's Regulations; )

Order to Show Cause Why )

Respondent's Operating )

Authority Should Not Be )

Suspended or Revoked.

DOCKET NO. 2006-0261

### ORDER NO. 22732

Filed August 10, 2006
At \_\_\_\_\_\_\_O'clock \_P\_.M.

Chief Clerk of the Commission

RECEIVED

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DEPT. OF CONSUMER ADVOCA

## DEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----)

RADIANT TELECOM, INC. )

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. Docket No. 2006-0261 Order No. 22732

#### NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

RADIANT TELECOM, INC. ("Respondent") is the holder of a certificate of authority ("COA"), issued pursuant to Hawaii Administrative Rules ("HAR") § 6-80-18. The COA authorizes Respondent to operate as a reseller of intrastate telecommunications services in the State of Hawaii ("State").

HAR § 6-80-91 requires Respondent to file an annual financial report ("AFR") by March 31 of each year. Hawaii Revised Statutes § 269-30 requires Respondent to pay a public utility fee ("Fee") in July and December of each year. Respondent failed to file its 2004 AFR and pay the Fee that was due on July 31, 2005, and December 31, 2005.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in whole or in part, if the commission finds that the holder violated any applicable State laws, commission orders or rules. Accordingly, the commission may suspend or revoke Respondent's COA for failure to

comply with the legal requirements set forth above, unless Respondent is able to show cause why such suspension or revocation should not occur.

#### THE COMMISSION ORDERS:

- 1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on September 28, 2006, to show cause why Respondent's COA should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.
- 2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.
- 3. If Respondent fails to appear at the scheduled hearing, Respondent's COA shall be revoked.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2006-0261.eh

#### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22732 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

RADIANT TELECOM, INC. 1020 NW 163 Drive Miami, FL 33169

(CM #7005 1160 0002 2514 0354)

Faren Higashi

DATED: AUG 1 0 2006